

SUMMARY OF MEETING MINUTES – As of 8/6/2003 10:48 AM
NOSB Board Meeting – May 13–14, 2003
The Radisson Hotel and Suites – Austin, Texas

The National Organic Standards Board meeting of May 13-14, 2003, was attended by 15 members:

NOSB Members Present:

Owusu Bandele	Rosalie Koenig
Kim Burton	Michael Lacy
Dave Carter	Goldie Caughlan
Kevin O'Rell	Nancy Ostiguy
Ann Cooper	Jim Riddle
Rebecca Goldberg	George Siemon
Andrea Caroe	Dennis Holbrook
Mark King	

National Organic Program (NOP) Staff:

Barbara C. Robinson, AMS/Deputy Administrator, Richard Mathews, Program Manager, Katherine Benham, Arthur Neal, Keith Jones, Toni Strother, Bill Ashley and Bob Pooler

CALL TO ORDER: May 13, 2003, 8:15 a.m. ***Presiding: David C. Carter, Chair***

Mr. Carter opened with the introduction of the NOSB members and asked that public commenters sign up in advance.

ANNOUNCEMENT: Dave Carter announced Jim Riddle's appointment as University of Minnesota Endowed Chair of Agricultural Systems. Jim requested input on organic livestock research items.

Dave Carter reported on NOSB planning sessions in February 2003, and in May 2003. **(See Discussion Document)**

Mr. Carter also reported that the NOSB had issued two letters to Secretary Veneman following congressional passage of the organic feed waiver provision. The first letter expressed concern about the issue, and the second thanked the Secretary for taking a stand on the issue.
Mr. Carter met with the Secretary following the second letter.

AGENDA APPROVAL **(See Discussion Document)**, (Pg. 10)

By motion made, seconded and carried the agenda was approved, with the addition of determining the next meeting date and location.

MINUTES APPROVAL (Pgs. 10–11)

SEPTEMBER AND OCTOBER MEETING MINUTES APPROVAL **(See Discussion Document)**

EXECUTIVE COMMITTEE CONFERENCE CALL MINUTES **(See Discussion Document)**

VOTE: The minutes were approved unanimously with no discussion

REVIEW OF BOARD POLICY MANUAL – (See Discussion Document), (Pg. 12)

Jim Riddle moved to add to the NOSB Board Policy manual provisions developed during the planning session concerning a vision statement and mission statement. The motion passed, along with an amendment by Kim Burton to note that the board's responsibility is to maintain a National List of "allowed and prohibited" materials.

PRESENTATION – (Pg. 16)

Jim Riva, Branch Chief, USDA AMS Audit Review and Compliance Branch, gave a presentation on the AMS ARC services on NOP Accreditation. The text of this presentation can be found within the meeting transcripts.

PUBLIC COMMENTS – May 13, 2003 at 10:30 a.m.

The following individuals presented public comments. Each person's comments were recorded and transcribed for the record. Some individuals also presented written comments. Transcribed comments can be found on the NOSB portion of the web. Written comments where applicable, can be found at the

DESIGNATED ATTACHMENTS.

- Public Comment Registration Sign-In Sheet
- Audience Sign-In Sheet

Spangler Klopp, Townsends, Inc., (**Attach. 1**, comment read by Chair), (Pg. 47)

Ronnie Cummins, National Director Organic National Consumers Association, (**Attach. 2**) (Pg. 49)

George Kuepper, NCAT Program Specialist, (**Attach. 3**), (Pg. 54)

Dr. Laura Morrison, Acting Executive Director, OMRI, (Pg. 57)

Brian Baker, OMRI, (**Attach. 4**), (Pg. 61)

Robert Hadad, Director, The Humane Society of U.S., (**Attach. 5**, comment ready by Chair), (Pg. 69)

Emily Brown Rosen – Proxy for Doug Crabtree, (**Attach. 6**), (Pg. 71)

Tom Harding, AgriSystems International, (**Attach. 7**), (Pg. 82)

John Immaraja, Project Manager, Chemical Corporation, AMVAC, (Pg. 84)

Zea Sonnabend, CCOF, (Pg. 91)

Candace Boheme, Organic Consumer, (**Attach. 8**), (Pg. 99)

Urvashi Rangan, Director, Consumer Union, (Pg. 104)

Liana Hoodes, National Campaign for Sustainable Agriculture (NCSA), (**Attach. 8**), (Pg. 109)

Beth Sears, Product Manager Cerexagri, Inc., (**Attach. 10**), (Pg. 113)

Tom Hutchinson, OTA, (Pg. 118)

T.M. "Mac" Devin, Technical Services Veterinarian, Ft. Dodge Animal Health, (**Attachs. 11 & 12**), (Pg. 121)

David Hiltz, Scientist, Acadian Seaplants, Ltd., (Pg. 125)

Leslie Zuck, Executive Director, PCO, (**Attach.13**), (Pg. 132)

Penny Sandoval, Northeast Organic Dairy Producers Alliance, (Pg. 136)

David Engel, MOSA, (Pg. 140)

Marty Mesh – (Pg. 143) – Urvashi Rangan, (Pg. 144)

Lisa Englebert and Carol King, NOFA New York – read by Chair, (Pg. 150)

BREAK FOR LUNCH RECESS - 12:15 p.m.

RECONVENE MEETING on May 13, 2003, at 1:15 P.M.

NOP PROGRAM UPDATE, (Pg. 152)

Barbara Robinson reported the following:

- Feed grain survey mandated under the 2002 Farm Bill has been completed, and has been submitted for review before public release. The survey does contain price data.
- An amendment was added to the supplemental appropriations bill to direct USDA to develop standards on wild-caught seafood. Because of resource constraints and workload, this issue has not been taken up. Any development will go on the web for public consideration. Her intent is to start with the history of previous actions on this matter.

Richard Mathews reported the following: (Pg. 158)

- NOP has developed a Peer Review concept that includes assessment by the American National Standards Institute (ANSI). Assessment will be to NOP requirements, ISO Guide 61, ISO 19011, and IAF guidelines. The Review Panel will consist of a team of three people; Lead assessor schooled in ISO 61, a second assessor schooled in ISO 61, and a technical resource person with organic expertise appointed by USDA from nominations submitted by the public.
- The docket recently published in the Federal Register does not cover all materials recommended by the NOSB. It is primarily a crops document, with some technical corrections on processing materials. A docket is being prepared for release next week for section 205.605. Another docket is on his desk for review that relates to livestock materials. NOP is having FDA review processing and livestock dockets before going out to the public.
- The NOP has developed a Decision Tree; and that document has been given to the Board and will be made available to the public.
- NOP is developing an Interim Final Rule for Good Guidance Practices. Intent is to make the role of guidance documents clear to the public. The rule will create a new section 205.603, entitled, "Good Guidance Practices." There will be a 30-day comment period. Food Contact Substances will be the first issue put through the new process.

National Organic Program report concluded

PRESENTATION OF COMMITTEE DISCUSSION ITEMS:

MATERIALS –KIM BURTON

▪ **MATERIALS PROCESS REVIEW (See Discussion Document)**, (Pg. 165)

The Committee is working with NOP in ongoing process of clarifying current material review process (**See Discussion Document**):

- NOP review process of a petition prior to the forwarding to materials committee (**See Discussion Document**)
- Cut-off date(30/60 day) for TAP reviews prior to an NOSB meeting
- Confidential Business Information; and clarification on process

When recommending material review using existing TAP reviews then the committee **MUST** review the supplied information and expedite a supplemental TAP if necessary.

Guidance Document/OFPA criteria for contactors on reviewing materials (i.e., Livestock)

PLEASE NOTE: Transcript Error: Page 174 – Mr. Bob Moore should be Mr. Bob Pooler

ACCREDITATION - JIM RIDDLE

▪ **MINOR NON-COMPLIANCES (See Discussion Document), (Pg. 176)**

Mr. Riddle reviewed with the board a Draft 4 of the document regarding Minor Non-Compliance which received a committee vote of 4 to 0 1 absent to remain as a committee draft with no action taken. Draft 3 received substantive comments, which are incorporated in the new draft. Draft 4 will be posted for public comment (**See Discussion Document**).

Mr. Riddle reported on his attendance at National Institute of Standards and Technology (NIST) meeting on assessment of organic accreditation bodies.

PROCESSING – MARK KING

▪ **FOOD CONTACT SUBSTANCE POLICY (See Discussion Document), (Pg. 183)**

The committee is deferring official action on the proposed policy document for further research.

▪ **CHLORINE IN DIRECT CONTACT WITH ORGANIC FOOD (See Discussion Document), (Pg. 187)**

Recommendation divided into 5 motions. Jim moves each, Kevin seconds. The board voted unanimously to recommend a rule change to correct annotations for chlorine in the National List as follows:

- A. Change the annotation of §205.601(a)(2) to read: Chlorine materials - Except, That, residual chlorine levels in the water in direct crop or food contact and in flush water from cleaning irrigation systems that is applied to crops or fields shall not exceed the maximum residual disinfectant limit under the Safe Drinking Water Act.
- B. Change the annotation of § 205.603(a)(3) to read: Chlorine materials - disinfecting and sanitizing facilities and equipment. Residual chlorine levels in the water in direct crop or food contact shall not exceed the maximum residual disinfectant limit under the Safe Drinking Water Act.
- C. Change the annotation of § 205.605(b)(9) to read: Chlorine materials - ~~disinfecting and sanitizing food contact surfaces, Except, That,~~ residual chlorine levels in the water in direct crop or food contact shall not exceed the maximum residual disinfectant limit under the Safe Drinking Water Act.

The board also unanimously recommended specific changes to the NOP Questions and Answers to clarify that chlorine monitoring should not be done at point of discharge, stating “Certified operators must monitor the chlorine level up stream of the wash operation or rinse operation, where the water last contacts the organic product.”

The board also recommended a prioritized re-review of chlorine (14-1-0) “in light of new information about the relationship of chlorine and trihalomethanes, available alternatives, food safety, health effects, and application procedures.”

- **POST HARVEST HANDLING vs. ACTUAL HANDLING OR PROCESSING (See Discussion Document),** (Pg. 195)

Mr. King has resubmitted a clarification document for handling vs. processing primarily for crop production. He also talked about a guidance document that NOP had released on how retail food establishments can comply with the NOP. The document does differentiate between exempt and excluded retail operations. The document is posted on the website.

CROPS – OWUSU BANDELE

- **HYDROPONICS (See Discussion Document),** (Pg. 196)

Draft guidance document regarding certification of hydroponics and other soil-less production systems. The draft will be forwarded to the strategic planning committee and NOP for feedback and to determine if further work on the document is a priority.

LIVESTOCK – GEORGE SIEMON, (Pg. 201)

- **BREEDER STOCK REPLACEMENT** – (See Discussion Document)

The Board unanimously passed to adopt the proposed recommendation regarding Breeder Stock Replacement and to be posted on the NOP website.

- **FIBER BEARING ANIMAL STANDARDS**

Discussed under the committee work plan and no action was taken.

- **DAIRY ANIMALS REPLACEMENT STANDARD** – (See Discussion Document)

Approved the Livestock Committee's recommendation for a rule change. **VOTE:** 13 approved, 2 abstained, 0 No.

- **CLARIFICATION OF REQUIREMENTS FOR REVIEWING LIVESTOCK MATERIALS** (See Discussion Document)

Nancy Ostiguy presented recommendation for clarification of information for TAP contractors; the document will now go to the Materials Committee for consideration, and then be posted for public comment.

- **REVIEW IVERMECTIN FOR REMOVAL**

Mr. Siemon reported on the Parasiticide Task Force. No action taken.

- **ALTERNATIVE FEED SUPPLEMENTS TO DL-METHIONINE**

Becky Goldberg reported on research now being conducted in the industry on fish meal and other alternative methionine sources. No action taken.

INTERNATIONAL – BECKY GOLDBURG, (Pg. 219)

- **NO REPORT.** To be part of the strategic planning committee.

PRESENTATION OF COMMITTEE DISCUSSION ITEMS – (Page 220)

Presentation and discussion of material recommendations from Crops, Livestock, and Handling Committees. Materials recommendations from the committees were discussed during the balance of the afternoon. Per the agenda, no action was taken on those materials.

MEETING RECESSED AT MAY 13, 2003, AT 5:45 P.M.

WEDNESDAY – MAY 14, 2003, at 8:15 a.m.

MEETING OPENED WITH PUBLIC COMMENT SESSION:

Jim Pierce, Organic Valley, (Pg. 4)
Liana Hoodes, National Campaign for Sustainable Agriculture (NCSA), (Pg. 8)
Toni Feder, Northwest Coalition for Alternatives to Pesticides, (**Attach. 14**), (Pg. 10) (**Transcript Error: Ms. Better should be Ms. Feder**)
Karen Balthrop, Northwest Coalition for Alternatives to Pesticides, (Pg. 12)
John Wallingford, Wyeth Nutrition, (Pg. 15)
John Immaraju, (**Attach. 15**), (Pg. 20)
Tina Ellor, Phillips Mushroom Farms, (Pg. 23)
Lucina Lampila, IFAC/Prayon, (Pg. 27)
Urvashi Rangan, Consumer Union, (Pg. 36)
Marva Holt, Holts Organic Land and Livestock, (Pg. 43)
Harriet Behar, (Pg. 46)
Margaret Scoles, Organic Inspector, Independent Organic Inspectors Association , (Pg. 49)
Cissy Bowman, Chairman, Indiana Certified Organic, (Pg. 50)
Leslie Zuck, PCO proxy for Ned MacArthur (Pg. 57)
Marty Mesh, Executive Director, Florida Certified Organic Growers and Consumers (Pg. 67)
Joe Hall, California Natural Products, (Pg. 75)
Bob Buresh, Director of Nutrition and Research for Tyson Foods, (Pg. 80)
Dex Conaway, Communications Director for Indiana Certified Organic, (Pg. 88)
Marty Mesh, proxy for Laura Kennedy, Quality Cert. Services, (Pg. 93)
Juli Brussell, Member, Organic Farming Research Foundation Board, (Pg. 97)
Tom Hutcheson, Organic Trade Association, (Pg. 100)
Grace Marroquin, Marroquin International, (Pg. 103)
Jim Pierce, Organic Valley proxy for Tom Harding, AgriSystems International, (Pg. 111)
T.M. "Mac" Devin, Ft. Dodge Animal Health, (Pg. 117)
Cindy Salter, Executive Director, Compost Tea Industry Association (Read by Dave Carter), (Pg. 119)
Barbara C. Robinson, Deputy Administrator, TM/AMS, (Pg. 121)

PUBLIC COMMENT CLOSED AT 11:00 a.m.

INERTS TASK FORCE REPORT – Nancy Ostiguy and Rose Koenig – (**See Discussion Document**), (Pg. 123)

- Nancy Ostiguy reports that the task force has been reviewing List 3 Inerts. The task force was created to address the conflict regarding List 3 Inerts.
- The task force is recommending a temporary guidance policy that would allow that products made with disclosed Inerts that were allowed in 2001 by a now-accredited certification agency to be continued for use

until December 2004, with some restrictions. The task force approved the report on a vote of 6-3. Kim Burton and Mark King provided reasons for not supporting the recommendation.

- Ms. Ostiguy recommended that the task force document be posted for public comment.
- Nancy/Rose will take board comments under advisement, and then will send a revised proposal to NOP for public comments.

COMPOST TEA TASK FORCE REPORT – OWUSU BANDELE (See Discussion Document), (Pg. 158)

- Dennis Holbrook reported on the status of the Compost Teas Task Force. Compost Tea Task Force met by conference call in early May. A list of task force members was distributed.
- The Task Force has created a series of subcommittees to examine the various factors in making, storing and applying compost tea. Those subcommittees will meet between now and the October 2003 Board meeting.

PRESENTATION OF WRITTEN MATERIAL RECOMMENDATIONS

CROPS MATERIALS – Owusu Bandele

TETRAHYDROFUFURYL ALCOHOL (See Discussion Document), (Pg. 162)

THFA was petitioned to be added to section 205.601, “synthetic substances allowed for use in organic crop production.” More specifically, the committee examined the substance in relation to 205.601(m)(2), “as a synthetic inert ingredients as classified by the EPA for used with nonsynthetic substances listed in this section and used as an active pesticide ingredient in accordance with any limitations on the use of such substances.

The Committee concurs with the TAP review in that evaluation against OFPA Criteria 1 and 6 in particular require specific information to determine the substance’s potential for agroecosystem interactions. The Committee found the material to be synthetic. **Committee Vote: 5 Approved**

MOTION: Owusu Bandele

SECOND: Nancy Ostiguy

MATERIAL STATUS: Synthetic – Allowed

FINAL VOTE: None

Why Synthetic: Deemed so by TAP Review determined that manufacturing process products were not natural.

ANNOTATION: Add to 205.601(m) with the annotation “only until December 31, 2006.” The annotation was designed to be consistent with the EPA deadline for review of all inerts exempt from food tolerance requirements.

Why Annotation: EPA review process to move to either List 4 or List 2; If goes to List 2 then off National List.

FINAL VOTE: 14 YES, 0 NO, 1 ABSTAINED, 0 RECUSED

POTASSIUM SILICATE (See Discussion Document), (Pg. 171)

The Committee received a petition to consider as a synthetic substance allowed for use in organic crop production as plant disease control” and as a “synthetic allowed for use in organic crop production as plant for soil amendments.”

The Committee voted to allow the material but for disease control only under 205.601(i). However, after discovering that the material had not received the EPA label required for pesticide use, the committee reconsidered that recommendation. **Committee Vote: 4 Approved; 1 Absent**

MOTION: Owusu Bandele

SECOND: Dennis Holbrook

DEFERRED: Until Next meeting

Why Deferred: Potassium silicate was deferred pending additional information regarding its manufacturing process and pending the acquisition of an EPA registration for use as a pesticide. Currently, the material does not have an EPA registration.

PHOSPHORIC ACID – (See Discussion Document), (Pg. 173)

The Committee received a petition to consider as a synthetic substance allowed in crops to be used to adjust the pH for aquatic plant extracts. **Committee Vote: 4 Approved; 1 Absent**

MOTION: Owusu Bandele

SECOND: Dennis Holbrook

DEFERRED: Until Next Meeting

Why Deferred: The decision involving phosphoric acid deferred pending a Full TAP review for crop usage. That review should also reassess its use in liquid fish products.

GLYCERIN OLEATE/GLYCERINE MONOOLEATE – (See Discussion Document), (Pg. 176)

The Committee received a petition to consider as a synthetic substance allowed in crops. **Committee Vote: 4 Approved; 1 Absent**

MOTION: Owusu Bandele

SECOND: Dennis Holbrook

MATERIAL STATUS: Synthetic – Allowed

FINAL VOTE: 15 YES, 0 NO, 0 ABSTAINED, 0 RECUSED

Why Synthetic: The manufacturing process involves synthetic materials.

RECOMMENDATION: To be added to 205.601(m)

MOTION: Owusu Bandele

SECOND: Nancy Ostiguy

ANNOTATION: Only until December 31, 2006. The annotation was designed to be consistent with the EPA deadline for review of all inerts exempt from food tolerance requirements.

Why Annotation: EPA will clarify status as List 3 inert by end of 2006.

FINAL VOTE: 15 YES, 0 NO, 0 ABSTAINED, 0 RECUSED – The material was approved for addition to the National list until December 31, 2006.

LIVESTOCK MATERIALS – George Siemon

PROTEINATED CHELATES – (See Discussion Document), (Pg. 187)

DEFERRED: Until Next Meeting October 2003

Why Deferred: Committee has not received TAP Supplemental Report by contractor.

CALCIUM PROPIONATE – (See Discussion Document), (Pg. 187)

The material was petitioned for use as a livestock treatment for Milk Fever and mold inhibitor. Use for Milk Fever was recommended by Board in September, 2002. The committee recommended to be added to 603(a) as a mold inhibitor in dry formulated herbal remedies. **Committee Vote: 4 Approved, 1 No, 1 Abstained**

MOTION: George Siemon

SECOND: Owusu Bandele

MATERIAL STATUS: Synthetic – Allowed

FINAL VOTE: NONE – The material was previously established as a synthetic.

RECOMMENDATION: To be added to 205.603(a)

MOTION: George Siemon

SECOND: Mike Lacy

ANNOTATION: As a mold inhibitor in dry formulated herbal remedies

Why Annotation: The committee was concern that if they didn't annotate it, it would be used for feed purposes – it's a general feed preservative. The committee wanted to make sure that it's only used as a therapeutic tool.

FINAL VOTE: 11 APPROVED, 2 NOS, 2 ABSTAINED, 0 RECUSED

FUROSEMIDE – (See Discussion Document), (Pg. 193)

The Committee received a petition to consider for medicinal livestock treatment as a diuretic used for the treatment of udder edema and pulmonary edema which is associated with conjunctive heart failure.

Committee Vote: 5 Approved; 1 Abstained

MOTION: George Siemon

SECOND: Nancy Ostiguy

MATERIAL STATUS: Synthetic

FINAL VOTE: 15 APPROVED, 0 NO, 0 ABSTAINED, 0 RECUSED

Why Synthetic: Manufacturing process – molecular change of parent material. Petitioned by manufacturer as synthetic.

APPROVED: Effective treatment udder edema and pulmonary edema. Suitable alternative treatments not on list.

RECOMMENDATION: To be added to 205.603(a)

ANNOTATION: Double FDA withhold time – (96 hours totaled)

Why Annotation: TAP indicated that 10% residual of material remains active after 48 hours. Committee recommended longer withhold for organic use.

MOTION: George Siemon

SECOND: Mike Lacy

FINAL VOTE: 15 YES, 0 No, 0 Abstained, and 0 Recused. The Board supported the double FDA withhold due to data showing that after 48 hours there is still 10% residual in tissue. NOP staff clarified that NOSB can recommend extended withdrawal, but they must have a compelling claim related to the OFPA criteria to establish that requirement.

MINERAL OIL – (See Discussion Document), (Pg. 197)

The Committee received a petition to consider as an internal treatment for compaction and for use as a dust suppressant ingredient in organic livestock feed production. **Committee Vote: 1 Approved; 4 Disapproved; 1 Absent**

MOTION: George Siemon

SECOND: Becky Goldberg

MATERIAL STATUS: Synthetic – NO VOTE – Established at previous meeting.

The Committee recommended, not be allowed to be used as a dust suppressant in the formulation of livestock vitamin/mineral supplements.

MOTION: Jim Riddle

SECOND: Mike Lacy

To be added to 205.603(d); and allowed for dust control and disbursed until 10/21/2006, with three year phase out, and development of other alternative.

MOTION VOTE: 8 YES; 7 NOS: MOTION FAILED

FINAL VOTE ON ORIGINAL MOTION TO PROHIBIT: 8 YES TO PROHIBIT, 8 NO NOT ADDED, 0 ABSTAIN, AND 0 RECUSED – By prior action, this material is classified as a synthetic. A motion to include the material on the National List as an approved substance for use as a dust suppressant failed.

ATROPINE – (See Discussion Document), (Pg. 209)

The Committee received a petition to consider as an antidote for poisoning in organic livestock production.

Committee Vote: 5 Approved, 1 Absent

MOTION: George Siemon

SECOND: Nancy Ostiguy

MATERIAL STATUS: Synthetic

FINAL VOTE: 15 YES, 0 NO, 0 ABSTAINED, 0 RECUSED

Why Synthetic: Manufacturing process – synthesized chemical heat and pressure used to break molecular bounds.

WHY APPROVED: Effective antidote for poisoning of livestock. No other alternatives on National List. Also, effective for treatment of pink eye.

RECOMMENDATION: Add to 205.603(a) as a livestock medication without an annotation

FINAL VOTE: 13 YES, 0 NO, 2 ABSTAINED, 0 RECUSED – The material was approved for addition to Section 205.603(a) of the National List.

MOXIDECTIN – (See Discussion Document), (Pg. 223)

The Committee received a petition to consider for medicinal livestock treatment, as a topically applied broad spectrum parasiticide effective against both internal and external parasites.

DEFERRED: Until Next Meeting

Why Deferred: Upon the recommendation of the committee, the material was deferred pending the gathering of additional information from Petitioner; need additional information from TAP contractor. The Board had concerns about its possible antibiotic properties, its 6 month half life effect on the environment, and residues in milk, fats and lipids.

PROCESSING MATERIALS – Mark King

EGG WHITE LYSOZYME – (See Discussion Document), (Pg. 228)

The Committee received a petition to consider for additional to the National List of Substances Allowed and Prohibited in Organic Production and Handling as a nonagricultural substance allowed in processed products labeled as “organic” and “made with organic” ingredients. **Committee Vote: Unanimous**

MOTION: Mark King

SECOND: Jim Riddle

MATERIAL STATUS: Non–Synthetic

FINAL VOTE: 15 YES, 0 NO, 0 ABSTAINED, 0 RECUSED

Why Natural: Derived from a natural (chicken egg whites) source and the MFG process. No solvents used in the MFG process of the enzyme. Consistent with other enzymes.

Why Approved: Additional information received by the petitioner on the GRAS status.

MOTION: Mark King

SECOND: Kim Burton

RECOMMENDATION: Add to 205.605(a)

FINAL VOTE: 15 YES, 0 NO, 0 ABSTAINED, 0 RECUSED – Egg White Lysozyme was approved for addition to 205.605(a) of the National List

NITROUS OXIDE – (See Discussion Document), (Pg. 234)

The Committee received a petition for use as a whipping propellant in products labeled as “organic” and “made with organic.” **Committee Vote: Unanimous**

DEFERRED: Until Next Meeting

Why Deferred: Due to late arrival of the TAP Report – Not adequate time to review TAP report.

L-MALIC ACID (See Discussion Document), (Pg. 235)

The Committee received a petition for use as a PH adjuster in processing operations. **Committee Vote: Unanimous**

MOTION: Mark King

SECOND: Kevin O'Rell

MATERIAL STATUS: Non–Synthetic

FINAL VOTE: 14 YES, 1 NO, 0 ABSTAINED, 0 RECUSED

Why Non–Synthetic: Fermentation of carbohydrate substance.

APPROVED: The natural alternative detailed in the TAP report is commercially available. Verified with petitioner.

MOTION: Mark King

SECOND: Kevin O'Rell

RECOMMENDATION: Add L–Malic Acid to 205.605(a) of the National List

MOTION: Jim Riddle

SECOND: Goldie Caughlan

AMENDMENT TO MOTION: To add an annotation that from the microbial fermentation of carbohydrate substances.” **Vote: 14 Yes, 1 No, 0 Abstentions, 0 Recusals**

FINAL VOTE: 15 Yes, 0 No, 0 Abstained, 0 Recused – L Malic Acid was approved for addition to 205.605(a) of the National List with the annotation. Action on DL-Malic acid was deferred.

SODIUM ACID PYROPHOSHATE – (See Discussion Document), (Pg. 245)

The Committee received a petition for use as a leavening agent in baked goods. **Committee Vote: 5 Approved, 1 No, 1 Abstained**

MOTION: Mark King

SECOND: Kim Burton

MATERIAL STATUS: Synthetic

FINAL VOTE: 15 YES, 0 NO, 0 ABSTAINED, 0 RECUSED

Why Synthetic: Using synthetic ingredients in the MFG process.

APPROVED: No alternatives available; unique function and similar to other phosphates on the National List.

MOTION: Mark King

SECOND: Kim Burton

RECOMMENDATION: Add to 205.605(b)

ANNOTATION: “For use only as a leavening agent”

Why Annotation: Specific use in application; not enough information on other uses.

FINAL VOTE: 10 YES, 2 NO, 3 ABSTAINED, 0 RECUSED; The material was approved for addition to 205.605(b) of the National List for use as a leavening agent

MICRO-ORGANISMS – (See Discussion Document), (Pg. 251)

The Committee received a petition including spore powder for inclusion on the National List. **Committee Vote: Unanimous**

MOTION: Mark King

SECOND: Kevin O'Rell

MATERIAL STATUS: Non-Synthetic

FINAL VOTE: 12 YES, 3 NO, 0 ABSTAINED, 0 RECUSED

Why Natural: Mfg. Process is natural; Previous TAP reviews deemed natural such as enzymes and dairy cultures.

MOTION: Mark King

SECOND: Kim Burton

RECOMMENDATION: Add to 205.605(a), “Any food grade bacteria – fungi, and other micro-organisms

FINAL VOTE: 11 YES, 1 NO, 3 ABSTAINED AND 0 RECUSED; The material was approved for addition to 205.605(a) of the National list as “any food grade bacteria, fungi, and other micro-organisms.”

COMMITTEE WORK PLANS – (Pg. 265)

Accreditation – Jim Riddle

- The committee will continue to work on the minor non-compliance document. The document will be posted for discussion. Action is planned for the October meeting;
- The committee will begin to look at information on certificates, and ideas for creating uniform information on those certificates; and
- The committee will be analyzing the future role of the committee.

Board Policy Manual Task Force – Jim Riddle

- Task force will include the timeline for submitting committee recommendations and TAP reports;
- The task force will include any new committees' names and descriptions – and any changes in board structure – as a part of the policy manual;
- Update our voting forms will be prepared for inclusion in the manual;
- Language on the Peer Review Panel will be removed; and
- Other amendments will be handled as needed.

Processing/Handling – Mark King

- Will continue to work on Food Contact Substance and Guidance;
- Will work on materials: (1) Nitrous oxide, and (2) Sunset review of materials on the national List; and
- Post-harvest handling vs. processing.

Livestock – George Siemon

- Will work on clarifying non-edible livestock standards;
- Will work on clarifying new dairy herd entry clause and post list of scenarios for public comment;
- Stimulate task force within industry: (1) Alternatives to methionine, and (2) Identify calf-hood drugs to petition; and
- Livestock materials to be addressed include:
 - Moxidectin
 - Chelated minerals
 - Flunixin
 - Fish meal

Crops Committee – Owusu Bandele

- Compost Tea Task Force will continue its work;
- Materials: (1) Work will continue on deferred materials, and Sodium nitrate use;
- Rose and Nancy will continue to work on List 3 inerts;
- Committee will coordinate with NOP on status of greenhouse and mushrooms recommendations;
- The committee will seek clarification on sodium nitrate use; and
- The committee will consider possible continuation of hydroponics work based on NOP/Strategic Committee Feedback.

Materials Committee – Kim Burton

Update Material Review Process

- Work with NOP in ongoing process of clarifying current Material Review Process.
 - NOP review process of a petition prior to forwarding to materials committee.
 - Cut-off date for TAP reviews prior to an NOSB meeting.
 - CBI information. Clarification on process?
- Draft Policy on the National List Sunset Revision Process – post for public comment;
- When recommending material review using existing TAP reviews then the committee MUST review the supplied information and expedite a supplemental TAP if necessary;
- Status on list 3 inerts and EPA – Rose Koenig & Nancy Ostiguy;
- National List Update – status on NOSB materials recommendations and Federal Register Dockets; and

- Discussion with NOP on restructuring the National List: **(See Discussion Document)**
 - Specifically Handling 205.605 and 205.606
 - Ongoing issues with TAP reports; contractors, deferred TAPs for inadequate information.
 - Guidance Document/ OFPA criteria (?) for contractors on reviewing materials (i.e., Livestock)
 - National List Sunset Provision – Ms. Burton distributed a document concerning the recommended process to begin the re-review of materials included on the National List. After Board review the document, it will be posted for public comment.

International Committee – Becky Goldberg

- No Work plan pending restructuring of board committees.

OTHER BUSINESS

NEXT BOARD MEETING:

- October 22-24, 2003 in Washington, DC; 10/22/03 – ½ day of committee work (afternoon)
- 10/23-24/03 NOSB Meeting
- OTA 5/2-4/04 in Chicago, Illinois
- **2004 MEETING:** October 12-14, 2004 – To Be Determined

MISCELLENEOUS INFORMATION:

- Kim Burton suggested that co-chairs be assigned as soon as possible regarding recommendation for the materials.
- Federal Register for Processing and livestock and good guidance practices and new section. The board should have a plan to respond; w/a 30 day public comment.
- Dave Carter to work with Kim, Mark, Andrea, and Rose on the policy task force committee. To work with committee chairs – to bring the recommendation on how to proceed with policy strategic plan for policy control.

MEETING ADJOURNED AT 4:45 P.M.